

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 41552
: :
Thomas, Richard A. : Confirmation Number: 1988
: :
Application No.: 10/611,658 : Tech Center Art Unit: 1631
: :
Filed: June 30, 2003 : Examiner: Skibinsky, Anna
: :
For: NUCLEAR PACKING EFFICIENCY

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on Sep 15, 2008.
Lori Ford
Lori Ford

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 13, 2008, of the Primary Examiner finally rejecting claims 31-34, 37, 38, 44-46, 49, 50, 54-58, and 61.

Appeal Fee: **\$255.00**

Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Deborah L. Cadena/

Deborah L. Cadena
Registration No. 44,048

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122
Phone: 858.535.9001 DLC:lif
Facsimile: 858.597.1585
Date: September 15, 2008

**Please recognize our Customer No. 41552
as our correspondence address.**